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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 UNITED STATES OF AMERICA,

Case No. 2:15-CR-256 JCM (PAL)

8 Plaintiff(s),

ORDER

9 v.

10 GERALDINE WALKER,

11 Defendant(s).  
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13 Presently before the court is the matter of *United States v. Walker*, case no. 2:15-cr-00256-  
14 JCM-PAL.

15 Geraldine Walker (“petitioner”) filed a motion for sentence reduction to 18 U.S.C. §  
16 3582(c)(2) pursuant to United States Sentencing Guidelines 561.3. (ECF No. 47). On May 25,  
17 2018, the government filed a response in opposition to petitioner’s motion. (ECF No. 49).

18 As the government’s response correctly notes, generally, the court may not modify a  
19 sentence of imprisonment once it has been imposed. 18 U.S.C. § 3582(c). However, subsection  
20 (c)(2) of the statute provides an exception to this general rule. 18 U.S.C. § 3582(c)(2). A court  
21 may modify a sentence when a defendant “has been sentenced to a term of imprisonment based on  
22 a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to  
23 28 U.S.C. § 994(o) if such a reduction is consistent with applicable policy statements issued by  
24 the Sentencing Commission.” *Id.*

25 Although petitioner cites to subsection (c)(2), the sentencing commission has not lowered  
26 the petitioner’s guideline range. Accordingly, the exception enumerated in (c)(2) does not apply  
27 to petitioner’s case.  
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Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that petitioner’s motion for sentence reduction (ECF No. 47) be, and the same hereby is, DENIED.

DATED June 6, 2018.

  
UNITED STATES DISTRICT JUDGE